

Yale Law School, 127 Wall St., New Haven, CT 06511

Issa Kohler-Hausmann

Professor of Law and Sociology Yale Law School 127 Wall St. New Haven, CT 06511 issa.kohler-hausmann@yale.edu 203-436-3530

Avery Gilbert

Director and Clinical Lecturer in Law Strategic Advocacy Clinic Yale Law School 127 Wall St. New Haven, CT 06511 avery.gilbert@yale.edu 845-380-6265 she/her/hers

February 15, 2023

Submitted via online portal

General Government A Subcommittee Appropriations Committee, Connecticut General Assembly Legislative Office Building, Room 2700 Hartford, CT 06106

Re: Budgetary Funding for the John R. Lewis Voting Rights Act of Connecticut

Dear Chairs Anwar and Ryan, Ranking Members Berthel and Chaleski, and Subcommittee Members,

We write to urge the General Government A Subcommittee to allocate funding necessary for the Secretary of the State to administer the John R. Lewis Voting Rights Act of Connecticut ("CTVRA"). Although Connecticut has made progress with respect to voting rights in recent years, Connecticut remains one of the most segregated states in the nation 1 and many voters still face persistent barriers to equal participation. 2 These barriers have real, documented, health and wellness consequences. 3 At a cost of \$1.95 million, less than 0.004% of the state's overall \$50.5 billion proposed budget for the upcoming two-year cycle, the CTVRA would provide needed tools to identify and address barriers to participation and—in conjunction with early voting opportunities and voting for citizens confined in state custody—make Connecticut a national standard-bearer for voting rights.

https://public integrity.org/politics/elections/us-polling-places/connecticut-voters-face-some-of the biggest-obstacles-outside-the-south/.

¹ Commission on Human Rights and Opportunities, Connecticut Zoning and Discrimination (2021), https://portal.ct.gov/-/media/CHRO/Publications/CHROs-Zoning-and-Discrimination-2021-Report.pdf

² Matt DeRienzo, *In Connecticut, voters face some of the biggest obstacles outside the South*, CENTER FOR PUBLIC INTEGRITY (Oct. 6, 2020), https://publicintegrity.org/politics/elections/us-polling-places/connecticut-voters-face-

³ See Anna K. Hing, The Right to Vote, The Right to Health: Voter Suppression as a Determinant of Racial Health Disparities, 12 J. of Health Disparities Research & Practice 48 (2019), https://digitalscholarship.unlv.edu/jhdrp/vol12/iss6/5.



I. Funding for a Statewide Database of Election Data

\$1.06 million of the requested funding would go towards staffing and licensing costs for a statewide, publicly accessible database to collect and store election data and demographic information. This database is critical to the functioning of the CTVRA and to the state's ability to undertake evidence-based election administration. Lack of systematically collected data has long made "monitoring and improving election performance in the United States unnecessarily difficult." The data collected will enable citizens, civil society groups, elected officials, and academics to identify and resolve potential obstructions to exercise of the franchise. "Better data is a foundation for any meaningful effort to understand and improve the functioning of any election system. ⁵ Similar election data, though privately collected, has already been used to combat voter suppression in Georgia. ⁶

The proposed database will provide this data at little expense, requiring a database manager and a GIS database engineer-- combined labor costs estimated at \$284,393 annually in salary and fringe benefits. The only additional appropriation required for the database will be \$500,000 in future years for software licensing.

II. A "Preclearance" Program Will Help Protect Voters of Color

The remainder of the funds sought appropriated, \$440,000 per year, is to fund staffing of experts within the Secretary of State's office to pre-screen voting changes in localities with recent records of discrimination to ensure that proposed voting changes do not have a discriminatory impact on Connecticut voters of color. Pre-clearance has been tested at the federal level. It works. The federal Voting Rights Act preclearance program, by making elected officials more accountable to Black voters, brought about improvements in governmental policy and hiring practices that "reduced the wage gap between [B]lack and white workers by around 5.5 percentage points" in covered counties. Recent analyses show that incremental improvements in diversity in local representation translate into more equitable educational and policy outcomes. And Professor Thomas A. LaVeist of Tulane

_

⁴ Make Voting Work, "Data for Democracy, Improving Elections Through Metrics and Measurement," (December 2008) https://www.pewtrusts.org/~/media/legacy/uploadedfiles/wwwpewtrustsorg/reports/election_reform/Final20DfDpdf.pdf ⁵ Id.

⁶ Adele Peters, *This nonprofit will use big data to fight voter suppression in the midterm elections*, FAST COMPANY (May 24, 2022), https://www.fastcompany.com/90754430/this-nonprofit-will-use-big-data-to-fight-voter-suppression-in-the-midterm-elections.

⁷ Abhay P. Aneja & Carlos F. Avenancio-León, *The Effect of Political Power on Labor Market Inequality: Evidence from the 1965 Voting Rights Act* 3, WASH. CENTER FOR EQUITABLE GROWTH, Working Paper Series (Oct. 2020), https://equitablegrowth.org/working-papers/the-effect-of-political-power-on-labor-market-inequality-evidence-from-the-1965-voting-rights-act/; *see also* Abhay P. Aneja & Carlos F. Avenancio-León, *Disenfranchisement and Economic Inequality: Downstream Effects of Shelby County v. Holder*, 109 AEA PAPERS & PROCEEDINGS 161 (May 2019).

⁸ See, e.g. Vladimir Kogan et al., *How Does Minority Political Representation Affect School District Administration and Student Outcomes*, EDWORKINGPAPERS (June 19, 2020), https://www.edworkingpapers.com/ai20-244 (discussing



University, in a landmark study, identified the federal VRA as a causal factor in reducing infant mortality in Black communities where the law's protections had led to fairer representation of Black voters' preferred candidates.⁹

Successfully administering the preclearance program will require four new staff positions: a deputy elections director, a staff attorney, an elections officer, and an administrative assistant. In total, the Secretary of State's office estimates these positions will cost \$439,720 annually in salary and fringe benefits.

III. Conclusion

Funding the database and preclearance provisions of the John R. Lewis Voting Rights Act of Connecticut is crucial to enabling the bill to do what it promises: ensure that discriminatory election procedures are identified and remedied.

Sincerely,

Lauren Beccue JD Candidate, 2023 Yale Law School

Kyle Bright JD Candidate, 2023 Yale Law School

Ethan Seidenberg JD Candidate, 2025 Yale Law School

_

[&]quot;evidence that increases in minority representation lead to cumulative achievement gains . . . among minority students"); Brett Fischer, *No Spending Without Representation: School Boards and the Racial Gap in Education Finance* (Mar. 20, 2020), https://ssrn.com/abstract=3558239 (presenting "causal evidence that greater minority representation on school boards translates into greater investment in minority students").

⁹ Thomas A. LaVeist, *The Political Empowerment and Health Status of African-Americans: Mapping a New Territory*, 97 AMER. J. OF SOCIOLOGY 1080 (Jan. 1992).